

Appl. No. 09/832,708
Amdt. Dated 07/14/2004
Reply to Office action of April 15, 2004

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed April 15, 2004. In the Office Action, claims 31-34 and 41-46 were allowed, claims 1-21 were rejected under 35 U.S.C. § 101, and claim 12 was objected to based on claim dependency.

Claims 13-30 and 35-40 have been cancelled. Claims 1-12, 31-34 and 41-46 are now pending. Claim 12 has been amended to now depend on claim 9 and respectfully requests the outstanding objection to be withdrawn.

Rejection Under 35 U.S.C. §101

Claims 1-21 were rejected under 35 U.S.C. §101. In response, Applicants have amended independent claims 1 and 9 to overcome the statutory-type double-patenting rejection as applied to the pending claim set 1-12. Applicants further respectfully submit herewith a terminal disclaimer to obviate any obviousness-type double patenting rejection potentially forthcoming. Applicant respectfully requests that the Examiner withdraw the outstanding §101 rejection.

Conclusion

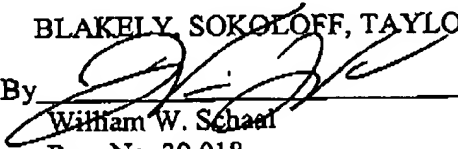
In light of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: July 14, 2004

By


William W. Schaaf

Reg. No. 39,018

Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

☐ deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Commissioner for Patents, PO Box 1450,
Alexandria, VA 22313-1450.

☒ transmitted by facsimile to the Patent and
Trademark Office.

Date: July 14, 2004


Susan McFarlane

July 14, 2004

Date